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## **CHILD FIRST PARTICIPATORY RESEARCH – THE CHALLENGES OF INVOLVING CHILDREN IN YOUTH JUSTICE DECISION-MAKING**

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### **Abstract**

*Collaboration is a key aspect of 'Child First' justice, but what is meaningful 'collaboration' within a Child First-focused youth justice system and where are the difficulties with making this reality? Importantly, although practice is beginning to embrace the importance of involving children at a decision-making level, youth justice-focused research remains behind this curve. Within the adult-centric realities of both practice and research, power imbalances abound, meaning that even if opportunities are offered for collaboration, it still may not happen if the required conditions are not in evidence. Utilising Thomas's (2002) 'climbing wall' picture of participation (a pre-cursor to full collaboration), this article explores how children can be facilitated to collaborate within youth justice practice and research, also considering where difficulties with realising this in practice might lie. The issues identified are illustrated through a research project (Child First: Realising Effective Participation) which explores with justice-involved children their collaboration understanding and experiences, but also maintaining a child-centric position throughout by adopting an innovative method to involve children as co-researchers. The experiences of this project identified issues with adult gatekeepers, the challenges of sharing power, and how well children are facilitated (given the autonomy and choice, control over decisions, necessary information, support, valued for their voice) to truly collaborate in youth justice-focused research.*

### **Keywords**

*Child First justice, collaboration, power dynamics, youth justice, participation*

## Introduction

'Child First' is now the 'strategic approach and central guiding principle of the youth justice system in England and Wales (YJB, 2021a: 10). A crucial tenet of Child First justice is that of 'collaboration with children' (Case and Browning, 2021: 6). Specifically, they should be encouraged into 'active participation, engagement and wider social inclusion' (ibid.: 6). Given this, it is perhaps not surprising that 'participation' is now starting to become something of a buzzword within youth justice discourse, with research on the inclusion of children within practice-focused decisions gaining momentum and raising the profile of this important development (see Daly and Rap, 2018; Creaney, 2020; Peer Power, 2021; Smithson and Jones, 2021; Pleysier, 2023). However, and perhaps partially because of the slowness of the developing research evidence base informing it (and lack of any associated central guidance), involving children in meaningful *collaboration* in practice (arguably a step further on than participation, as it addresses issues of power imbalance within decision-making) within *justice* spaces is challenging. It is not simply about providing *opportunities* for participation (although these can be rare), but also ensuring the conditions to enable children to engage with (e.g., believe in, commit to, involve themselves in) these opportunities in ways which genuinely affect the outcomes.

Although youth justice *practice* is starting to involve children in processes affecting them, youth justice *research* doing likewise has lagged. Participatory research has been utilised for some decades in other academic disciplines, for example education (see Lundy, 2007; Fenge et al., 2011; Campos and Anderson, 2021), childhood studies (see Holland et al., 2010; Eldon, 2012; Hogan, 2017), psychology and health (see Blacker et al., 2008; Gibbs et al., 2018), children's rights (Herbots and Put, 2015). Evidently a wide variety of resourceful activities have been used with children involved in research using imaginative and inventive methods which could be utilised more widely through cross-disciplinary exchange of ideas (Cooper, 2022). In *youth justice* research, this is a newly developing area, with important work being done in pockets (see, for example, Smithson et al., 2020). Involving children in the processes of youth justice research should become routine (rather than the exception) to ensure that findings genuinely reflect their voice and experience, rather than adult-centric interpretations, especially within the context of Child First justice.

This article explores the potential for children who offend to collaborate meaningfully, not only in youth justice processes affecting them (e.g., decision-making, planning, evaluation), but also in youth justice-focused *research* which informs the shaping of policy and practice. Using the jurisdictional context of England and Wales, we explore reasons for previous apparent reticence to collaborate with children (in either youth justice practice or research), illustrated by a Nuffield-funded project, 'Child First: Realising Effective Participation' (CF REP), which has a participatory research design (involving children as *co-researchers*, rather than just passive research subjects) to ensure a child-centric approach throughout. We begin with a contextualising discussion on Child First justice, which demonstrates the need for a focus on the tenet of 'collaboration', but then critically discuss the construct of 'participation' (a necessary precursor to full *collaboration*, which we see as fully engaging with children as equal partners throughout the processes of youth justice and related research) which is itself contested and complex, but often reflects a continuum of involvement. Some of the challenges identified through the CF REP project (practical,

attitudinal and conceptual) will then be illustrated with examples from the children involved, prioritising their voices within our joint experience.

## **Towards a Child First Youth Justice System**

Criticisms of the inequitable systemic power dynamics and negative, anti-child/adult-centric nature of hegemonic (risk-led) youth justice practice, combined with emerging evidence-bases and evolving views about children who offend, have catalysed the current youth justice paradigm/culture shift. In England and Wales, the Strategic Plan of the Youth Justice Board (YJB1) now promotes Child First as the ‘central guiding principle’ for youth justice (YJB, 2021a: 10) whilst the YJB Business Plan pursues Child First ‘practice development’ by improving ‘what is known about working with children across the youth justice sector’ (YJB, 2021b: 4). Child First is grounded in four tenets<sup>2</sup> that have been highlighted as ‘effective’ in research and practice internationally (YJB, 2021a: 10-11; Case and Browning, 2021: 1; see also Case and Hazel, 2023).

Prioritise the best interests of children, recognising their particular needs, capacities, rights and potential. All work is child-focused, developmentally informed, acknowledges structural barriers and meets responsibilities towards children.

**2** : Promote children’s individual strengths and capacities as a means of developing their pro-social identity for sustainable desistance, leading to safer communities and fewer victims. All work is constructive and future-focused, built on supportive relationships that empower children to fulfil their potential and make positive contributions to society.

**3.** Encourage children’s active participation, engagement, and wider social inclusion. All work is a meaningful collaboration with children and their carers.

**4.** Promote a childhood removed from the justice system, using pre-emptive prevention, diversion, and minimal intervention. All work minimises criminogenic stigma from contact with the system.

This new focus for youth justice in England and Wales centralises, at least in principle, the active *collaboration* (tenet 3) of children with practitioners to create their youth justice experience, but there are significant challenges in translating this into reality, giving rise to

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A non-departmental public body that monitors and manages the Youth Justice System, advises Government on policy development and guides practice in its implementation.

The Youth Justice Board operationalised ‘Child First’ (YJB, 2018) by amalgamating the central features of the Positive Youth Justice’ model of practice (child-friendly, diversionary, promotional, legitimate, engaging, responsabilising adults – Haines and Case, 2015) and those of the ‘Constructive Resettlement approach (constructive, co-created, customised, consistent, co-ordinated - Hazel and Bateman, 2021).

the CF REP project. Our research questions (and associated participatory methodology) were designed to investigate the realities of involving children both in their own youth justice journeys and in youth justice-focused research, rather than relegating their voice to that of research participant. However, to fully understand the challenges of investigating ‘collaboration’ with justice-involved children, we first need to explore the development of this concept on its journey towards inclusion as a Child First tenet. Terminology and meaning are both highly contested, potentially causing confusion in how collaboration should be realised for justice-involved children, which is what we now critically explore.

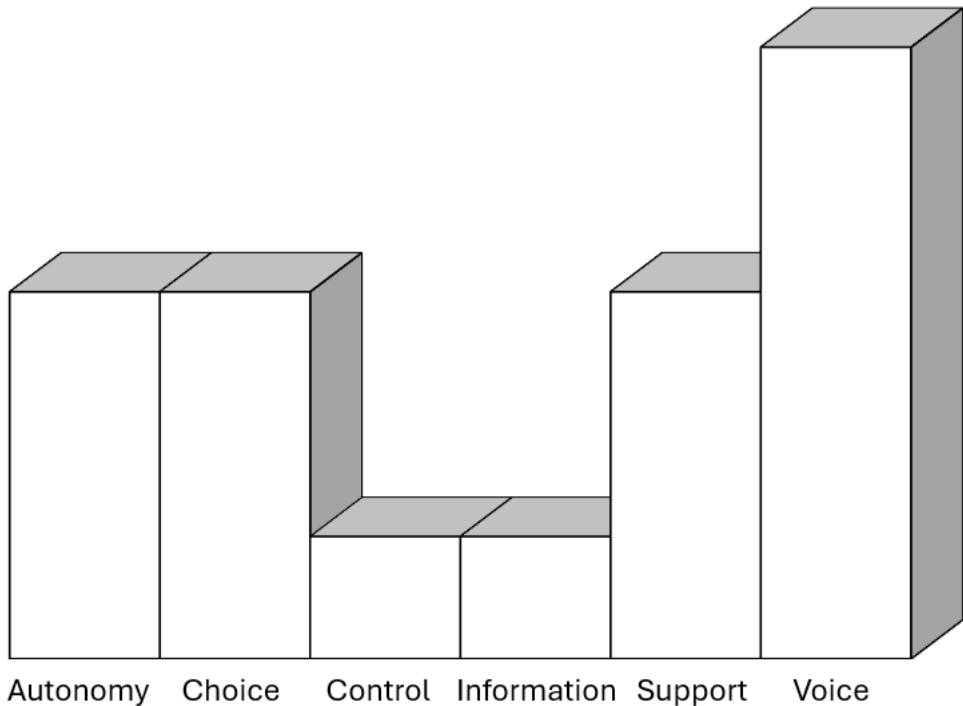
### **The development of ‘participation’ as a pre-cursor to ‘collaboration’ of children in processes concerning them**

‘Participation’ (a term much more usually employed to encompass children’s varying levels of involvement in their own interventions) has been illustrated variously through different pictorial devices. Hart’s (1992) early development of a ‘ladder of participation’ created a continuum, ranging from approaches which he specifically identified as *non*-participatory (for example, manipulation, tokenism), through levels of consultation, up to child-initiated processes where children share decision-making equally with adults (arguably becoming collaboration). In this, Hart intended to catalyse discussion on what was then a very neglected area, facilitating organisations to see where they were operating (Hart, 2008). However, the inclusion of unequivocally *non*-participatory processes caused some to question the ladder’s utility, fearing that it might justify tokenistic box-ticking by some organisations (Shier, 2001). Mannion (2003) made more of this separation in his fountain-like diagram, which saw legitimate forms of participation shooting upwards and illegitimate *non*-participatory processes shooting downwards, thus ridding the model of a continuum approach (with its potential for legitimising what is essentially *non*-participation), instead making all aspects included equally valid, but with appropriateness dependent on circumstances.

Youth participation in helping shape the services and processes concerning them was more recently re-conceptualised by Cahill and Dadvand (2018: 248) in the ‘P7 Model’ who identified seven inter-connected domains of: ‘purpose’ (a central focus reflecting research aims), ‘positioning’ (emphasising participant contributions), ‘perspective’ (embracing diversity and difference), ‘power-relations’, (building inclusion and respect), ‘protection’ (ensuring participant safety), ‘place’ (responding to context and culture), and ‘process’ (fostering interconnectedness between intent and methods throughout the research project). This model recognises the fluidity of participatory research and sought to ‘address the need for ongoing attention to the ways in which ethical, cultural, political, and practical complexities can influence participatory opportunities and structures’ (ibid.: 252). This framework supports the participatory research process to be more inclusive and responsive, whilst also recognising that participation is not always the solution, as it could potentially produce negative outcomes resulting in inequality, inaction, and stigmatisation.

Focusing on *facilitators* of participation, Thomas’s (2002: 175) ‘climbing wall’ (see Figure 1) has taken a rather different approach, making it useful as an analytical lens to use for our later analyses of facilitation effectiveness. He presents a picture flexible enough to develop both horizontally and vertically, incorporating elements needed to ensure that children are

effectively facilitated to participate (Thomas, 2002). These elements are: choice (a child can choose whether/how they participate), information (being informed about the situation, options and their rights), control (influence/control over decision-making concerning them), voice (their authentic input into discussions/interventions), support (provided from adults to facilitate their involvement), and autonomy (facilitating them to make independent decisions) (Thomas, 2002: 175-6).



**Figure 1: The Climbing Wall of Participation (Thomas, 2002: 175)**

Without these features, children are unlikely to be *able* to take up participation opportunities, even when offered, and certainly won't be able to fully collaborate with adults in youth justice policy, practice, and decision-making. This makes it a potentially powerful tool to assess the *effectiveness* of participation *offers* (when they are given), shedding light on why they are not necessarily taken up by children. Therefore, it will be an analytical lens used within this article to explore the experience of securing child participation as illustrated through the CF REP project.

### **Adult-centric youth justice as a barrier to children's participation**

The voices of justice-involved children have routinely been neglected across history. Consequently, youth justice policies and practices have been developed *by* adults, *for* adults, devoid of meaningful input from children. Specifically, understanding and responding to justice-involved children through the lens of 'risk' (management) has

precluded and obstructed their ‘meaningful’ participation in youth justice processes by privileging top-down, adult-centric, interventionist practice whilst marginalising children’s experiences and perspectives. However, with the development of Child First justice, the emphasis has now been firmly placed on the necessity to realise collaboration in practice. Justice-involved children therefore not only have the *right* to participate in decisions about their care and supervision, including to express agency, communicate their priorities and offer insight into their thoughts and feelings on matters which concern them (UN, 1989; UNICEF UK, 2020), but also the policy imperative in Child First ‘collaboration’. Despite this there are significant practical barriers to progressing children’s meaningful participation and collaboration in *youth justice* decision-making processes and research that must be addressed if co-creation is to be realised in practice. For example, barriers can include their (perceived) vulnerability, lack of knowledge, and lack of power, all of which threaten specific aspects of Thomas’ (2002) facilitating ‘climbing wall’ of participation.

may feel ill-equipped, lacking necessary skills and abilities (perpetuated by practitioner and researcher opinions/assumptions) to engage honestly about their emotional health and well-being needs and contribute meaningfully to the design, commissioning, and delivery of the services they are receiving. This is also likely to affect their perception of how useful their insights/contributions are for researchers designing youth justice studies; all of which threatens their *control* and *voice*. Moreover, viewing children as vulnerable, disadvantaged with limited life chances and in need of protection, can result in the perception that they are unable/incapable of influencing decision-making processes unless supported (Deakin et al., 2020). Essentially, children may not be perceived as credible ‘knowers’, capable of engaging in discussions related to their care and supervision arrangements or in how to frame research methodology to maintain an authentic child’s voice (Winter, 2015: 205; Smith, 2014), which might limit the level of *information* and *support* they are given.

Children may feel unqualified to contest decisions, to contribute to decisions, or to question the judgement of those wielding power and influence; this is exacerbated if they are not then given sufficient accessible *information* using language they understand. These experiences can result in children feeling *disempowered* and *disengaged* (Creaney, 2020), leading to loss of *voice* and *choice*. For example, children may be reluctant to speak out if they feel they are being treated unfairly because of real and/or perceived fear of the consequences of potentially being returned to court for non-compliance (Hine, 2010). Furthermore, they may feel they lack enough knowledge to make decisions or influence research design. In this context, children’s experiential knowledge may be considered ‘of less value’ (Winter, 2015: 197) when compared to professional expertise (Creaney, 2018; Deakin et al., 2020), even though they hold *unique* knowledge potentially unknowable by professionals in either youth justice practice or research (Brierley, 2023). Consequently, children may decide to consciously adopt a passive stance to demands and expectations; a strategy deployed to avoid complications, from a child’s perspective increasing the possibility of a smoother transition out of the system and its perceivably inconvenient processes – all of which may reduce their motivation to become meaningfully involved in the process.

Practitioners and researchers alike may struggle to relinquish autocratic control over processes, systems and strategies, threatening the *control* a child may have within decision-making. They may also feel that they have insufficient time to nurture child-led practices and constrained by bureaucratic systems to ‘facilitate practices which build relationality, and which allow trust to develop’ (Hughes et al., 2014: 6); for example, grant application processes which require fully formed methodologies prior to any award, limit the possibilities of children being involved in research at an early enough stage. These heightened anxieties can encourage restrictive, oppressive, and risk-reduction strategies/techniques (Farrow et al., 2007), implicitly or explicitly devaluing children’s agency and autonomy in youth justice processes and research. Research with children is inherently unequal and usually framed by adult-constructed agendas. Despite accepting that power inequities cannot be entirely eradicated in research with children (Lohmeyer, 2019), it can be acknowledged and minimised through adopting a ‘lesser adult role’ as researchers (Hogan, 2017), striving to work more equitably to empower marginalised children to tell their stories and express opinions about services impacting them (McGinnis & O’Shea, 2022). Therefore, forging non-hierarchical, more equitable relationships with children as contexts for effective practice (see Sutton et al., 2022) necessitates a bold, courageous commitment to breaking down power inequalities and focusing on co-creation of knowledge, with professionals receptive to ‘knowledge from below’ activism from children (Burns, 2019; Smithson et al., 2020), building on Thomas’ (2002) six facilitatory elements.

As mentioned earlier, whilst participatory research has been slow to feature in youth justice, there is a nascent contemporary movement focused on developing participation within youth justice and its associated research. A current example of youth justice-focused participatory research is the Greater Manchester Youth Justice University Partnership (GMYJUP) (established in 2014 with the Manchester Centre of Youth Justice (MCYJ) and Greater Manchester Youth Offending Teams/YOT<sup>3</sup>) which led to the development of the Participatory Youth Practice (PYP) Framework (Smithson et al., 2020). This project, co-created with children, led to eight theoretically informed principles: the right to participate, always unpick why, acknowledging limited life chances, avoiding threats and sanctions, helping to problem solve, finding better options, developing ambitions and recognising that ultimately, it’s their choice. (ibid.: 3). This strengths-based model provides guidance for youth justice practice (and by extension, research) supporting participation and engagement with children, which has informed the development of the CF REP methodology, to which we now turn.

### **Evaluating Child First ‘effectiveness’ in practice: CF REP**

Despite strategic commitment and empirical support, the Child First principle will be ineffectual if guidance remains under-developed and lacks meaningful input from children regarding how Child First ‘works’ and is experienced as ‘effective’ in *practice* (e.g., in

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<sup>3</sup> Youth Offending Teams (YOT) are multi-agency teams responsible for delivering youth justice directly to children, comprising (from the Crime and Disorder Act 1998) practitioners from social services, probation, police, education and health.



implementation, interpretation, measurement, evaluation). The YJB has acknowledged this strategy-practice implementation gap and is currently funding Child First 'Pathfinder' projects nationally (YJB, 2021a), having revised Case Management Guidance (YJB, 2022) to youth justice practitioners and currently updating their Participation Strategy (YJB, 2016). Moreover, in recent years, the YJB and YOTs in England and Wales have been transitioning from risk-led and deficit-oriented practice driven by risk assessment to strengths-based, more participatory, and inclusionary assessments, procedures and techniques (see Creaney and Case, 2021).

This article presents the experiences from a unique research project, CF REP, which consolidates and extrapolates this evidence-base in several important conceptual and practical areas, offering professional stakeholders a critical evidence source for developing child-centric, collaborative, bottom-up, 'Child First' approaches *with* children. CF REP offers a wide **scope**, as it involves system-wide examination of children's experiences/perspectives of youth justice journeys, rather than the specific stage designs of previously mentioned projects. Crucially, it seeks to maintain a child-centric approach throughout by actively involving children within the design as *co-researchers*. Within this, the project aims to focus on **collaboration** by exploring children's experiences/perspectives of this through their youth justice journeys, particularly participation/engagement with decision-making processes (e.g., regarding sentencing, diversion, assessment, intervention planning). It explores a child-centric view of **effective practice**, rather than simply enabling consultation/participation in continuing adult-centric processes (with effectiveness viewed from an adult-centric position). **Co-creation** is developed through utilising various creative methods, with children's input at every stage of the research process (design-delivery-analysis-interpretation-dissemination), prioritising in-built reflexive and creative communication methods (Aldridge, 2017). The project then aims for cutting edge development in **policy and practice**, utilising collaborative co-created evidence to enable situated, valid understandings of children's experiences/perspectives of youth justice journeys (e.g., emerging guidance for implementing Child First), and thus catalyse real change for children.

The CF REP project builds on pockets of evolving practice-focused research (mentioned earlier), adapting Participatory Research (PR) to centre-stage collaboration with vulnerable, marginalised children throughout the research process - moving children's status from 'participant as actor' into the more transformative 'participant-led' form of PR (Aldridge, 2017). Moreover, it challenges the traditional research model at all stages, recognising the lived experiences of the children involved in research and the transformation of power dynamics (Campos and Anderson, 2021). Child-led creative methods elicit children's perspectives (e.g., autobiography, storytelling, oral, visual and written life histories, use of creative materials, but all within the context that the choice of medium remains with the child, not imposed on them by adults) on both project aims/methodology and in answering the research questions. This facilitates closer more collaborative relationships between researchers and participants, whilst enabling the child (as a research collaborator) to co-analyse/reflect on data, avoiding misrepresentation and misinterpretation of children's views. Therefore, the Child First PR approach creates opportunities for children's voices to be heard and acted upon (Johnson, 2017) in safe, inclusive and engaging research/practice

environments (Horgan, 2017), with an overarching aim of exploring children's perspectives of the extent, nature and impact of their meaningful *collaborations* within/between stages and processes of the YJS: out-of-court, court, community/YOT, custody, resettlement. The four inter-related research questions look at children's understandings of: collaboration, its objectives and benefits, effective youth justice practice and collaboration, possible improvements to practice from their experiences.

A unique and vital aspect of this project is the development of a *Project Reference Group* (PRG), comprising justice-involved children at various youth justice stages (arrest, out-of-court, court, community, custody/resettlement) from a host YOT, reflecting diverse backgrounds and demographics (e.g., ethnicity, gender) meeting throughout the project to co-develop research processes with the adult researchers. The Child First PRG ensures the integration of collaborative methodologies across research stages, from initial research outcome/question development, instrument selection, design and implementation, to interpretation and dissemination of findings - enhancing children's collaboration/engagement with researchers and minimising adult-centric interpretations (subjecting our inevitably adult-centric baseline to PRG scrutiny and revision). This values children's knowledge and insights (previously un/less valued), potentially rectifying this imbalance for future research projects.

The PRG has taken an active role in all aspects of research design and implementation, with a larger group (n=55+) of different justice-involved children from geographically diverse YOTs and secure estate sites then responding to the research questions (which the PRG is actively involved in analysing). These data gathering tools include *system journey interviews*, to understand children's perceptions of their participation in youth justice decision-making processes and the completion of *digital diaries*, reflecting on involvement within- and between-stages of the YJS, using prompt questions and making entries as they wish. Running through both the PRG and the children involved in the data-gathering processes is the development and use of creative approaches, through the availability of attractive, child-friendly methods maximising their strengths/interests (Fenge et al., 2011). These are aimed at facilitating communication and engagement in a variety of ways, acknowledging the high level of communication difficulties endemic for justice-involved children (Sowerbutts et al., 2021). The approach of this project has not been to look to 'teach' different creative arts (for example, one project used instruction in lyric writing to facilitate 'creative approaches'; see Wilkinson et al., 2022), but to utilise what the children are already interested in, thus giving them the power to choose their preferred method of communication. Therefore, media used has varied according to what children enjoy, but has included artwork, graffiti art, songwriting, rap writing/performing, Lego-building, play dough model-making, photo/picture elicitation, creative writing and poetry. Interview foci, diary prompt-questions and creative methods have also been co-created and tested with the PRG, maximising Child First collaboration and minimising adult-centrism.

### **The challenge of involving children in collaborative research about collaboration**

It has been no simple task to recruit (and retain) children for both aspects of this project (PRG and as research subjects), but through this experience, it has become evident that

potential barriers to children's involvement are linked to previously discussed barriers to collaboration in youth justice more generally. Children are not the gatekeepers to their own involvement – this is held by adults, operating at different levels including direct practitioners, their line managers and overall managers (notwithstanding also needing parental agreement). The process of recruitment starts at the *top* and then works down towards (eventually) the child, needing not only agreement, but significant buy-in at every level. Any level not providing full agreement then threatens the next level down, resulting in some children not even receiving an invitation to take part (or if they do, it is partial and reluctantly made, with little encouragement/support offered). With a YOT, the request is made to the strategic manager, who takes it to the YOT Management Board . When approved at this level, the request may then go through two further layers of adults before eventually being put to a child (and their parent). For the secure estate, the request goes to the overall governor (for institutional access), is then passed down to a more practice-facing member of staff, who may then pass the request on to a yet another staff member working directly with the child (for example, a key worker). It is not difficult to see that, especially since researchers are unlikely to have direct contact with those asking the actual children for their consent to take part, the process of going through several adult stages is likely to affect the *quality* of the request ultimately put to the child. Utilising Thomas' (2002) elements for facilitation of participation, there are various points at which the offer to children (if made) is seriously compromised.

In terms of *choice*, if it is for the child to grant permission, then they need to be given a realistic opportunity, so they can then decide whether they assent or not. With so many gatekeepers above the child, they may never receive that opportunity, which could stall at any stage, from a strategic manager (or secure estate governor) who decides that their service does not have the capacity (for whatever reason) to take part, to the practitioner who feels too time-poor to put the offer directly to the child, whilst covering all their other responsibilities. For example, on a Young Offender Institution (YOI) field trip, one officer supporting the project Research Associate (RA) divulged that she had chosen some 'good ones' for the interviews who were all on the highest level of the behaviour management scheme, thus effectively excluding children on lower levels (perhaps more likely to be neurodiverse) from the invitation.

Regarding the giving of *information*, this could stall at a point far short of the research request, by children remaining uninformed of their participatory rights (or right to 'collaborate', using Child First language), reducing their own perceptions of what their involvement should be. On being given the offer of project involvement, the child needs good quality information about the project, what their involvement would entail, and how

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<sup>4</sup> All YOTs must have a Management Board which includes representation from all statutory member agencies which is responsible for overseeing the quality of the work delivered by the YOT (see <https://www.gov.uk/government/publications/youth-justice-service-governance-and-leadership/youth-justice-service-governance-and-leadership>).

<sup>5</sup> YOIs are custody sites for older (aged 15 to 18 years) boys, run by the prison service (although for note, one YOI has been tasked with accommodating a small number of girls, a move which has been roundly criticised; see YJB, 2024).

it might benefit them. The provision of a project information sheet is unlikely to convey everything, and possibly also a particularly problematic method of communication with children who have a higher-than-average incidence of learning difficulties (Day, 2022). Without strong contact with researchers themselves, practitioners are less likely to fully understand, and therefore see the value in, research which may feel inconvenient and time consuming, negatively affecting their communication about the offer to children which could dampen enthusiasm for taking part (if devalued by the practitioner). To overcome this, the RA has attended YOT team meetings (via MS Teams) and spoken to practitioners directly by telephone, to relay the importance and value of the research project and tackling barriers to children participating (e.g., offering flexible interview times). When lacking effective and enthusiastic communication about the project and its potential benefits to them, a child's capacity to have *control* over decisions they might like to make regarding it is limited. Control is also compromised by decisions taken by others earlier (and ostensibly 'higher up') in the chain of communication. Control is taken away (possibly inadvertently) by the way choices are presented, when the offer is made, or if the offer is *ever* put to the child. For example, during an interview with a child in a YOI, he conveyed how the research project had been communicated to him:

C: ...they come with the paperwork yesterday... they put it under your door to see if you wanna be part of it. I just screwed it up and put it in the bin... I thought it's another one about bullshit...

I: So you've ended up talking to me anyway? It's voluntary. You don't have to speak to me if you don't want to.

C: No, it's alright I'm here now.

As the child is almost inevitably (given the process outlined earlier) the last person to hear about offers to take part in research (whether this be as a research participant or as a co-researcher), their *voice* in discussions regarding whether this should happen is minimised at best and at worst completely unheard (for example, if discussions on participation are dismissed before reaching them). If their view is not considered earlier in the process then it is difficult to see how it could affect the outcomes (of whether, or how, they are facilitated to take part).

An important aspect of facilitating any type of participation for children is the *support* they are given to do so. For a practitioner either dismissing the utility of taking part or feeling time-poor from other non-negotiable actions, offering additional support might be far from their minds when asking children if they would like to take part. If children are not supported in accessing venues (for example the CF REP PRG meetings take place in a youth centre in the locale, but not necessarily near to children's homes, requiring practitioners to transport them), then they may be powerless to become involved; similarly, practitioners may need to support in other ways (for example, gaining parental consent), which reluctance to become involved themselves might then preclude.

Lastly the whole process of gaining children's consent and engagement in research-related activities blocks their ability to have *autonomy* – the decision is not theirs alone, depending

as it does on a range of other (adult) players, all of whom are involved at earlier stages in the process.

This is not necessarily to place blame for blocking children's involvement in research with the professionals, but to highlight that these barriers are common to those blocking *any* kind of child participation in youth justice practice, and therefore need to be explored and addressed if the third tenet of Child First justice isn't to stand in the way of its full embedding in youth justice practice. To explore these potential barriers to engaging children in research further, they can be divided into two roots – attitudinal and practical, with these being experienced differently, depending on the role of the individual concerned – adult staff members, adult parents, and the children themselves.

Youth justice staff (at various levels) may have attitudinal difficulties with giving children the opportunity to take part in research, linked to their approach to research per se, the project specifically, and the children with whom they work. If they do not value research, perhaps not seeing it as impacting positively on practice (or at all), then they are less likely to offer participation (for senior managers, this might mean disallowing organisational access, or as a practitioner, not taking a realistic or enthusiastic offer to the children). If they see no value in a specific project (whether reasonable or not), then this will have a similar effect. They may feel that research could have uncomfortable ramifications for practice, changes from which they struggle to engage. An example of this is the difficult transition from risk-focused youth justice to a strengths-based positive approach like Child First, which challenged those used to seeing children as 'risky', leaving them questioning whether this change adequately addresses previous emphases on risk management (Day, 2022). Staff who do not see children as either having anything useful to say (perhaps viewing them as problems to be managed, rather than having strengths to be developed), or assume that children would not be interested, especially if engagement with youth justice processes has been problematic (adding in the potential to see them as somewhat undeserving of a voice), might find their own engagement challenged.

Practical barriers echo those long reported in research covering a range of different aspects of youth justice practice (Aldridge, 2017), concerning lack of time for practitioners to work with children, very often on short orders or voluntary contact, and with a burdensome assessment process to complete before substantive work can even begin (Cattell and Aghajani, 2022). Other priorities also compete with those centred on the service offered to children, like the burdens placed on staff when inspections are either imminent or require improvement plans to be implemented. Those at the coalface of work with children have little energy left to commit to supporting children with research participation (which, as discussed earlier, is a vital aspect of facilitating their access to opportunities for participation), and those in management, in trying to protect their staff from burn-out and attrition, are more likely to decline involvement; this makes facilitating the participation of justice-involved children in research (whether as co-researchers or participants) no one's priority, surely further guaranteeing their lack of voice. For one of the research participant YOTs, only two children have participated so far, both of whom were supported by the key contact, questioning whether other staff are as fully committed to the project, perhaps for reasons outlined above.

An important part of undertaking research involving children is ensuring robust ethical processes, which requires not only the children to consent for their involvement, but parental (or carer) consent as well (especially by university ethics committees) (Aldridge, 2017; Hogan, 2017; Hampson, 2017). Relationships between parents and youth justice services are sometimes fraught, especially if parents have been justice-involved themselves at some point, fostering feelings of distrust in the 'system', with which youth justice researchers might be grouped. They may be unwilling to let their children take part, seeing it as informing, either on them or others. There may also be a concern that their child might be disadvantaged by being involved in research, especially if their responses seem critical, fearing that staff may develop a problematic attitude towards them, whilst others may simply be disinterested and therefore neglect to even consider requests for their children's involvement. However, there are also practical difficulties for parents, who will know the level of support their children need to be able to access such opportunities and be unable (or unwilling) to provide it, for example being without their own transport, being time-poor due to the demands of full time work, or having a lack of personal organisation skills needed to be able to help their child to organise their own schedules, possibly also seeing involvement as an unwanted extra commitment. As a CF REP project example, an interview with one child in the community was rearranged twice and eventually did not happen due to the child's mother cancelling the first appointment because of an unexpected work commitment and the second because she was unwell. After this she decided to withdraw her support, resulting in the child's non-participation.

Of course, for a child to take part in research, they must consent and be willing to give up time and energy for it (although how this is presented to them by practitioners will, as previously discussed, be significant for their willingness to become involved). Children's attitudes towards youth justice research may echo suspicions already held towards youth justice agencies more generally, seeing researchers as part of the justice establishment. They may also fear the consequences of honesty in their responses, especially if they are unsure whether practitioners may be informed of their opinions (despite reassurances about confidentiality). Since it is likely to be practitioners asking children for their involvement, they may not view it as any different to other youth justice activities, seeing the *voluntaristic* nature of research as a reason to opt out, especially if they are unsure about what benefits being involved might bring them. They may be suspicious about the effect their responses might have, having already experienced disempowering 'tick-box' consultation exercises (as evidenced by children in custody's opinion of the custody questionnaire, which results in an annual report (HMIP, 2023) and a recently introduced in-house survey in one project YOI, viewed by children as pointless and changing little), thereby seeing research as a waste of their time:

A lot of it's like questions that don't really make sense and then you just have options to mark, but nothing gets done with it anyway... it pops up on your computer and it stays there until you do it, so it's sat there and you have to do it to get it to go... Instead of giving us an option box to just write in they only give us options to tick... you can't really say what you want, just their choices. (Child1, YOI)

Children's difficulties with this are also likely to be situated in the practical, seeing themselves as having other more valuable or enjoyable activities to pursue (especially those involved with full time education), without any real understanding of what research activities might entail (again, highly subject to the way involvement has been communicated). Justice-involved children, as previously mentioned, have a higher-than-average incidence of learning difficulties, resulting in worrying levels of illiteracy (Ministry of Justice/Department of Education, 2016; Coles et al., 2017), which could be a powerful dissuader to involvement in an unknown selection of activities, any one of which might challenge their reading (or other) abilities. Research activities *can* be largely mundane, taking the form of surveys and interviews, previous experience of which may have been boring and unrewarding. An innovation of the CF REP project is that we have sought to use children's own interests (be that in music, drawing, drama, model-making etc.) to facilitate interest and more effective communication from children, but this depends on good communication to them about what they might be able to do on the project to make a difference, again heavily influenced by adult gatekeepers.

Furthermore, differences in motivations between researchers and children can present the challenge of 'parallel projects' (Lohmeyer, 2019), whereby researchers arrive at the encounter with intending to conduct their research, whilst the children they are meeting have their own reasons motivating and directing either engagement or *non*-engagement in the project. Sometimes researcher-participant reasons will be parallel, other times they will conflict. Additionally, children's right to choose to disrupt or refute the participatory process is a challenge to the adults involved, but also acts as a way to explore the impacts and outcomes most significant for those children (Gibbs et al., 2018; Charles et al., 2024).

### **Seeking solutions to barriers and challenges to involving justice-involved children in youth justice-focused research**

In seeking to address challenges and overcome barriers to involving justice-involved children in youth justice-focused research, it is useful to return to Thomas' (2002) climbing wall elements. These explore what is required for complete and unfettered choices to be possible for children, to facilitate their participation in youth justice research (and by extrapolation, participation in youth justice processes more widely).

For *choice* to be with the child (rather than adults), they need to have been given a realistic offer to consider, without the layering of adult agreement as a necessary precursor. This would mean changing the way youth justice agencies and youth justice researchers interact, call for involvement, consider those calls, and prioritise that choice being put to children at an earlier stage in the process. For choice to be real, there must be accurate and helpful *information* provided, giving a realistic taste of what involvement would look like, unrestricted by staff attitudes or desires to protect adult interests in an area which is supposed to serve and benefit children. This then facilitates the handing over of *control* to children for their involvement, rather than this always being through the consent of adults, which also brings into question whether parental consent is necessary or desirable, when it could contradict (or simply fail to facilitate through apathy) what a child wants. This is an area for university ethics committees and youth justice agencies to consider when drawing up ethical guidelines for working with children in this way.

Ensuring that a child's *voice* is heard and has an impact on research design, findings and policy development, is a clear goal of both the UNCRC articles and the principles of participation within youth justice. This is where child-centric research is vital, involving children as co-researchers within any research concerning them to negate the risk of adult-centric interpretations of child-provided responses. Difficulties in recruiting (and retaining) children to a group actively involved in this (like our PRG) is likely to significantly damage this aim, and so should be seen as a priority for youth justice agencies, rather than an optional extra. The provision of appropriate *support* from those adults around children requires that they understand, and value project aims and can see research making a real difference to youth justice practice as it inches forwards. The ability for practitioners to be able to do this is contingent on them being given the time resource not to resent an extra (potentially viewed as optional or unimportant) task, requiring wholesale change in case working and assessment models, which prioritise face-to-face working over computer-based recording. A system which does not prioritise research results in those within that system not seeing its mutual value – this is necessarily therefore a top-down change which could then facilitate bottom-up partnership in research activity. The careful fulfilling of the previous five elements should then set the scene for children to be able to use *autonomy* in decision-making, surely preparing them better for a non-offending future. Being equipped with good quality information which is communicated well by practitioners who are enthusiastic for the difference research can make, both in its outcomes (making real change for justice-involved children going forwards) and in the softer advantages for children who are involved (in terms of improved self-esteem, confidence, communication skills, etc.), alongside the support they need to take full advantage of offers to both take part and co-create research, is likely to cause an upsurge in uptake whilst still allowing children who would prefer *not* to participate the freedom so to do.

In the CF REP project, having a specific practitioner 'champion' who is really on board with the research aims and values the opportunities being involved in research offers children has made an enormous difference to individual uptake from children. They are an important facilitator of some of Thomas' (2002) climbing wall elements but cannot address more systemic issues which need to be addressed strategically. For real change here, research and youth justice agencies need to work together to ensure that children can take their rightful place at the research table.

## **Conclusion**

The development of participation, and ultimately collaboration, of justice-involved children within the decision-making processes affecting them is becoming a priority for many, having been slow to affect youth justice. As children's *collaboration* is a core part of Child First justice (now the central guiding principle of youth justice across England and Wales), this should now become inexorable. However, as Smithson et al., (2023: 120) acknowledge in their recent evaluation of how far the PYP framework had been embedded into practice, 'there is still a substantial amount of work that needs to be done before the youth justice system can confidently claim that it is grounded in meaningful participation'. Given that *collaboration* is at a stage on the participation continuum which requires maximum involvement and power sharing, this presents even more of a challenge to practice. Furthermore, involving children in youth justice *research* is even further behind that curve, with traditional models of children being passive 'participants' still a default research



design. The CF REP seeks to challenge this by involving children at the heart of all research processes to maintain the authenticity of the child's voice and ensure child-centricity throughout. The barriers to making this a reality have been found to start with adult gatekeepers who (perhaps inadvertently) often act as dissuaders to children taking part, rather than providing the 'climbing wall' of factors needed to actively support their involvement. If collaboration is to truly become part of the DNA of youth justice (both in the normal processes of youth justice and in its research), organisational culture change is needed throughout, to recognise children's strengths and value their voices, and by developing closer links with academia for a more seamless partnership in pushing the frontiers of knowledge and understanding.

### **Author Bios**

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